

# Against Hired Guns



in which a crew  
of organizers  
who've struggled  
together against the  
violence of policing  
in Oakland  
reflect and  
strategize.

*This project is created by people who've been organizing against the violence of policing, particularly focused around killings by police officers. We are dedicated to pushing the boundaries of the organizing work we've been involved with and organizing against police violence more broadly in order to support innovative and creative ways to lessen harms caused by the state. We understand police in the United States to be the armed guard of a legal system that is rooted in the domination of people and land through de jure (legal) and de facto (in reality) slavery and capitalism – the process of diminishing Third World people to economic value. We are anarchists, socialists, communists, Afrikan nationalists, and just some random folks.*





Against Hired Guns is an analysis on policing through which a collective of organizers who've struggled together against the violence of policing in Oakland address the following:

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<http://againsthiredguns.wordpress.com/>  
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# Learning to Struggle Stronger

*"We were just doing our job, as we were trained to do."  
– Eriberto Perez-Angeles, OPD Homicide Investigator, speaking  
about his involvement in the killing of Derrick Jones.*

The realities of police violence are never as front and center as when a cop kills another human being. The opportunity allows us to point out the hypocrisy of policing as an institution, the notion that the police help to keep society safe in the long term. From the killing of Little Bobby Hutton to Gary King to Oscar Grant and Alan Blueford, this experience has consistently sparked militant and angry responses. These situations inform the public debate about policing as they highlight contradictions in our society's perception of safety as being a hyper-policed community.

But when we put all of our resources – time, energy, money, etc. – into fighting for individuals who've been killed, we distract ourselves from confronting the violence of standard and daily police policies. By rallying only when someone has been murdered by police we miss the opportunity to build strategic, tactical and on-going strategies of resistance against police brutality and the chance to prevent future murders.

In our attempts to curb police violence solely through the legal system, we give power back to the very forces that criminalize, kill, harass, corral and incarcerate people. We willingly return power to the structure responsible for the violence in the first place, replicating the system of domination that we are trying to fight.

The definition of insanity is doing the same thing over and over and expecting different results. Yet even with a deep understanding and analysis, we often continue to rely on the legal system to give us justice but are met with the same results. At some point we must confront our active role in this madness.

While far from the spotlight, more mundane policing and imprisonment is violent and deserves every bit of our focus. Outside of politically-oriented actions, those targeted by police – through an extension of the *de jure* (legal) system of slavery our





country was founded on – are overwhelmingly Black and Brown.<sup>1</sup> White supremacy is alive and well in our laws, with police playing the role of daily enforcer.

With that said we have been able to recognize killings by police as contradictions and therefore opportunities. The contradiction arises from our reliance on a system that has consistently shown itself to be supportive of the very forces which oppress us. The opportunity that presents itself with every police killing is a platform to amplify that contradiction and further people's analysis of modern policing.

That is all to say, as people focused on struggling against the violence of policing, we identify strategic opportunities to move that struggle forward. We are strategic opportunists.

## **Justice**

*September 20<sup>th</sup>, 2007:*

A police officer pulls across six lanes of traffic in North Oakland, into a corner store parking lot, and beckons Gary Wayne King Jr, armed with a soda in one hand and a bag of chips in the other, toward the car. The officer allows Gary to hand off the soda to a friend before knocking the bag of chips onto the pavement and pulling his arm out straight, all without saying a word. When the officer tries to cuff him, Gary resists and a scuffle ensues. The cop tases him as he runs away and then aims his gun, shooting Gary twice in his back as he tries to stand up in the street. The cop handcuffs Gary, then calls an ambulance as blood soaks the pavement. Gary dies right next to the median strip. Every Thursday for the following months, Gary's family along with supporters march to Oakland city hall, chanting "No Justice! No Peace!"

*December 31<sup>st</sup>, 2007:*

After running a red light, 20-year-old Andrew Moppin, who has a one-year-old child, is pulled over not far from Fruitvale BART in East Oakland. At the cop's request, Andrew and passengers exit the car. After briefly trying to hide, Andrew stands between a parked car and a brick wall just nine feet from officers, with a helicopter searchlight blinding the scene. The commanding officer shouts, telling Andrew to move. Andrew moves. Eight bullets tear through Andrew's flesh, leaving him bleeding on the ground. He dies later that evening. His family is not able to find records of him being transported to any hospital.

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<sup>1</sup> [http://www.insidebayarea.com/breaking-news/ci\\_22490590/monitor-says-opd-regressing-reforms](http://www.insidebayarea.com/breaking-news/ci_22490590/monitor-says-opd-regressing-reforms)

Two years later, US District Judge Claudia Wilkin rules: “The undisputed evidence shows that Officers Jimenez and Borello acted reasonably when they used deadly force against Mr. Moppin.” Wilkin’s ruling also claims the officers believed Andrew Moppin was reaching for his waistband when they opened fire, justifying his murder.<sup>2</sup>

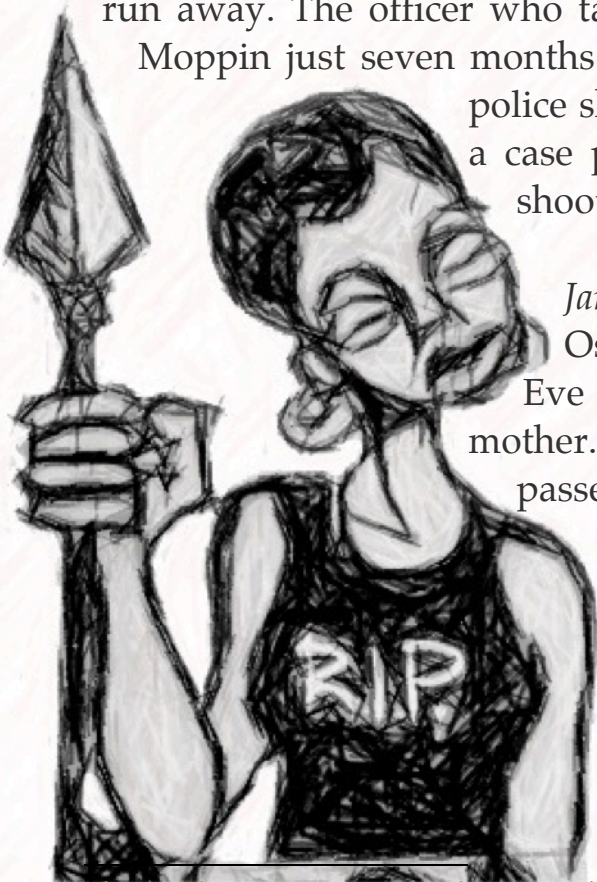
Later, John Burris, a lawyer who has defended dozens of cases of police violence, says, “The young man, really, was responding to conflicting commands. One group of officers had him have his hands up. Another officer had him turn to the other side, and when he turned, the two officers in front interpreted those movements as, quote, ‘going to his waist band’.”<sup>3</sup>

*July 25<sup>th</sup>, 2008:*

Police chase a car driven by Mack “Jody” Woodfox III for about a mile, until he stops. After getting out of a 1993 Buick Regal, Jody tries to run, pulling his pants up by reaching toward his waistband. Near the corner of East 17<sup>th</sup> Street and Fruitvale Avenue at 3:50am, Jody is shot dead – three bullets lodge in his back while trying to run away. The officer who takes Jody’s life is the same one who killed Andrew Moppin just seven months prior. He is fired. Burris, who started investigating police shootings in Oakland in 1979, says he can’t remember a case prior to this one in which the OPD found a police shooting to be in violation of policy.<sup>4</sup>

*January 1<sup>st</sup>, 2009:*

Oscar Grant III is on his way home from New Years Eve celebrations, taking BART at the request of his mother. A small scuffle ensues on the train, and scared passengers call police. Once Oscar and friends exit the train at Fruitvale station, a group of cops meet them, throw them against a wall, throw Oscar on his belly, and shoot him in the back – all in front of camera phone-toting passengers. Video of the killing is released publicly. Thousands of people take to the streets to demand “justice for Oscar Grant” in the



<sup>2</sup> <http://www.sfgate.com/bayarea/article/Judge-rejects-suit-over-Oakland-police-shooting-3202461.php>

<sup>3</sup> <http://peopleshearing.wordpress.com/2013/01/22/full-transcription/>

<sup>4</sup> [http://www.insidebayarea.com/ci\\_10024457](http://www.insidebayarea.com/ci_10024457)

form of prayers, vigils, marches, demonstrations and riots. After almost a month of ongoing angry mobilizations which include the arrests of more than 100 people, the cop who fired a bullet into Oscar's back is arrested on a first-degree murder charge. Two cops who were with him (including one who yelled the phrase "bitch ass nigger" twice) lose their jobs.

*July 8<sup>th</sup>, 2010:*

Oscar Grant's killer cop is charged with involuntary manslaughter by a Los Angeles jury, and people again take to the streets in anger – a Footlocker is trashed, windows shattered, dumpsters burnt and more arrests. People in the streets know a legal ruling of "involuntary manslaughter" is far from justice.

*November 5<sup>th</sup>, 2010:*

Oscar Grant's killer cop is given the most lenient sentence possible: Two years minus time served. People again take to the streets, and police violate constitutional laws to which they are bound in a mass arrest that puts 148 people in cages.<sup>5</sup>

From January 2009 through November 2010, well over a million dollars of damage is done in the form of broken windows, dumpster fires and burnt cars. The government is forced to act. For the first time in decades, a California cop is criminally charged with an on-duty murder. Two cops lose their jobs for aiding the trigger-puller. The BART police chief, Alameda County District Attorney and two Oakland Police Chiefs all flee their jobs and the city. Oakland Mayor Ron Dellums is frowned upon across the board for an uninspiring response.

*November 8<sup>th</sup>, 2010:*

Three days after the sentencing of Oscar's killer and the mass arrest, two Oakland police officers who'd been involved in a previous fatal shooting fire five bullets at Derrick "Deedee" Jones, striking him in the back as he runs away from them. Media reports say officers feel their life was threatened because Deedee reached toward his waistband and had a gun. The "gun" turned out to be a small scale. Hundreds mobilize in response, taking over the streets outside Deedee's barber shop and connecting his death to that of Oscar Grant – chanting "Oscar Grant, Deedee Jones, we won't let them kill our own", and marching down East 14<sup>th</sup> Street to arrive at Grant Station (Fruitvale BART). Before protesters arrive, police shut the station down, saying, "We can't control the safety of people on the platform."<sup>6</sup> Guarded by

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<sup>5</sup> <http://www.nlgsf.org/content/federal-court-certifies-class-action-oscar-grant-protesters>

<sup>6</sup> <http://www.ktvu.com/news/news/protesters-link-oakland-shooting-to-grants-death/nK6Hf/>



swaths of riot-gear-clad cops, the empty station stayed “safe.” With no follow-up plan, the movement around Deedee dropped off quickly.

*January 22<sup>nd</sup>, 2011:*

Outside a dance party at Oakland’s Skyline High School, Raheim Brown, Jr. and Tamisha Stewart sit in a Honda with its hazard lights blinking. A pair of officers who work for the OUSD Police Department pull up behind the Honda in an unmarked patrol car. Within minutes, Sergeant Jonathan Bellusa lunges into the car, grabbing Raheim from behind. He tries to hold the 20-year old and then grabs him, pulling Raheim’s shirt and ripping it. Leaning in through the driver’s window, the other cop, hits Raheim with his flashlight. Using what he describes as a “hammer fist,” Bellusa hits the young man three to five times in his lower back. Until this point, Raheim has not yet made any aggressive move toward anyone, according to a legally sworn transcript by Bellusa.

As the Sergeant reaches around Brown to grab him tighter, Raheim bites Bellusa’s wrist, in what should only be understood as self-defense. The “hammer fist” strikes again and the struggle ensues. The entire hand-to-hand struggle takes approximately 20 seconds. Feeling threatened, Bellusa, who initiated the attack, orders his partner to shoot Brown. Barhin Bhatt shoots twice through the driver’s open window and past the face of Tamisha Stewart, before his gun jams. Trigger happy Officer Bhatt takes five-to-ten seconds to clear his gun’s chamber and shoots another series of bullets into Raheim’s body, well after Bellusa identifies that there is no more threat.

In the end, Raheim receives two shots through his head and three more through his arms and torso, killing him.

## **Tragedy**

*December 18<sup>th</sup>, 2010:*

One of the cops fired for aiding in Oscar Grant’s murder, Marysol Dominici, is rehired and given back pay and benefits for the entire time she wasn’t working.<sup>7</sup> Anthony Pirone, the cop who yelled “bitch ass nigger” at Oscar and his friends, appeals his firing (to date there has been no apparent media reports of the results of Pirone’s appeal).

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<sup>7</sup> [http://abclocal.go.com/kgostory?section=news/local/east\\_bay&id=7850134](http://abclocal.go.com/kgostory?section=news/local/east_bay&id=7850134)



*February 19<sup>th</sup>, 2011:*

John Burris, a lawyer who has represented many local families who've lost loved ones to police killings, says that the cases of Andrew Moppin and Jody Woodfox "represent the real challenge that we all have in dealing with police misconduct and particularly in shooting cases. There were no witnesses in Andrew's case other than police officers. And as a consequence of that, the judge – federal district court judge – ruled against us because we could not contradict what the police officer had to say."

A few weeks later, on March 5<sup>th</sup>, a police arbitrator decides the killer of Andrew Moppin and Jody Woodfox will be rehired by the Oakland Police Department with full back pay because "sacrificing Officer Jimenez on the altar of public opinion" would not bring Woodfox back. The cop's lawyer said he wasn't at all surprised by the ruling because his client was "the victim of political persecution."<sup>8</sup>

*December 11<sup>th</sup>, 2012:*

Patrick Gonzales, the officer who killed Gary Wayne King, Jr. as well as two others and causing paraplegia in a fourth person as a result of gunshot wounds, all in separate incidents, receives the Silver Star<sup>9</sup> – the Oakland Police Department's second highest honor – avoiding focus on the \$3.6 million in payouts by the city and police department for incidents he was involved in as of August 2011.<sup>10</sup>

*December, 2012:*

Jonathan Bellusa, the police sergeant who ordered the killing of Raheim Brown, Jr. tells Federal Judge Maria-Elena James that he wants to tell the truth of what happened the night that Brown was killed. He says that he has tried to take his story to the FBI and other agencies. James refuses to listen.

*February, 2013:*

After working to ensure the statement was legally sworn, *Against Hired Guns* (yours truly) is the first to publish Bellusa's testimony, in which he details ways that the Oakland school cop shop that he works for systematically covers up rule-breaking, implicating players at every level, including Oakland Unified School District (OUSD) Superintendent Tony Smith – as well as the department's 2013 Police Chief

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<sup>8</sup> <http://www.sfgate.com/crime/article/Oakland-must-rehire-cop-who-shot-suspect-in-back-2528215.php>

<sup>9</sup> [http://www.mercurynews.com/breaking-news/ci\\_22170941/oakland-police-department-honors-more-than-three-dozen](http://www.mercurynews.com/breaking-news/ci_22170941/oakland-police-department-honors-more-than-three-dozen)

<sup>10</sup> [http://colorlines.com/archives/2011/08/deadly\\_secrets\\_how\\_california\\_law\\_has\\_shielded\\_oakland\\_police\\_violence.html](http://colorlines.com/archives/2011/08/deadly_secrets_how_california_law_has_shielded_oakland_police_violence.html)

James Williams, former Police Chief Peter Sarna, Sarna's assistant Jenny Wong, the OUSD's general legal council Jacqueline Minor, another attorney for the district, Sergeant Barhin Bhatt – who fired the deadly bullets at Raheim Brown, Jr., Lou Silva, a former OUSD officer and current district-wide Campus Security and Safety Manager and the department's Internal Affairs procedure. The testimony also refers to complicity in the cover up by then-Oakland Police Department (OPD) Chief Howard Jordan, OPD Captain Brian Medeiros, OPD Homicide Sergeant Rachael Van Sloten and more.

In the initial release, *Against Hired Guns* offered this analysis:

"This police commander still has his job, and as demonstrated by his approach to blowing the whistle, he believes the legal system to be the primary mechanism for justice. The enforcement of our legal system constantly justifies and relies on violence. Bellusa's job is to enforce that system through the wrist-wringing of handcuffs, the bars of a prison cell, and the barrel of a gun. This twisted concept of safety increases and intensifies violence by police and on our streets.

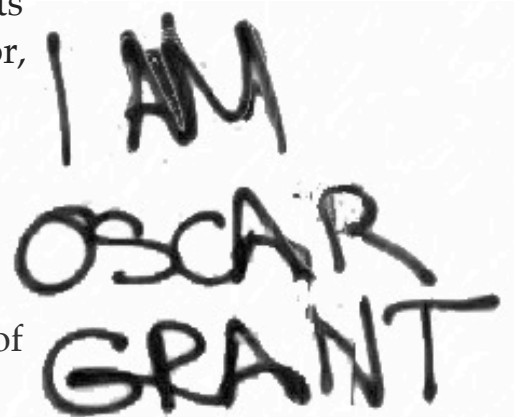
"The killing of Raheim Brown, Jr. and the events leading to it are not unique. The corruption described in Bellusa's testimony within the Oakland school police and those who supervise and defend it is not unique. The only difference in this case is that we have a 'good' cop and a legal transcript."

*April 1<sup>st</sup>, 2013:*

Deedee Jones' widow loses a \$10 million lawsuit against the OPD. "Justice is justice," Eriberto Perez-Angeles, one of the officers who killed Deedee aptly tells reporters immediately after the verdict. "I don't think we ever did anything wrong. We were just doing our job, as we were trained to do." Reports say that Perez-Angeles is an OPD homicide investigator, as of April, 2013.<sup>11</sup>

## Lessons learned

Fueled by footage of Oscar Grant III's murder, people swarmed the streets of Oakland using a wide array of



<sup>11</sup> <http://www.sfgate.com/crime/article/Widow-loses-suit-in-Oakland-police-shooting-4400776.php>





tactics to build power behind demands, which almost universally included charging Johannes Mehserle, Oscar's killer cop, with murder. Among different groups, demands went as far as a public community forum, disarming BART police, and for the BART police department to be shut down altogether.<sup>12</sup>

The top demand was met. Mehserle was charged with first-degree murder. He was jailed. Energy dissipated. By the time he was let out of his cage eleven months later, Mehserle's release was met with such a dull response in the streets that it was covered only as a side note in news stories.

From insurrectionary-minded radicals to Oscar Grant's own family members, that fight for justice has been celebrated.

While we should celebrate uprisings and the large impact on the public debate around police violence that was made by that campaign, we must also be honest with ourselves if we are to learn, grow and mature in our fight against police terror. Justice was not served in the cop's arrest, court process and imprisonment; or in the temporary firing and rehiring of the cops who aided in the killing'; or in the replacement of BART and Oakland police chiefs with new ones (both of whom have overseen the "justified" killings of people since their hiring). Oakland's current mayor has extended the reign of violence, having overseen attacks on the Occupy Oakland camp in the form brutal attacks on crowds of protestors with tear gas, flash grenades and batons. She has also overseen and accepted numerous police killings and the implementation of policies that give police more power to target young people and Black and Brown communities.

We angrily came out into the streets not just because Oscar Grant was murdered, but because many of us know that repression of Black and Brown people (as well as homeless people, sex-workers, youth, queer and transgendered people, etc.) is the daily and mundane role of police. That plays out in the form of everything from foreclosure evictions to heightened civil infractions for graffiti, sit/lie laws and gang injunctions. It would be irresponsible, in the context of dozens of people killed at the hands of Oakland cops since Oscar Grant was murdered, to find peace in a system that locks up a single cop and empowers others to continue to take lives. That is far

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<sup>12</sup> For examples of these demands, check out these links: <http://mxgm.org/statement-against-the-execution-of-oscar-grant-iii/>; <http://mxgm.org/statement-against-the-execution-of-oscar-grant-iii/>; <http://nojusticenobart.blogspot.com/2009/01/what-is-no-justice-no-bart.html>

from justice, and advocating a reproduction of the Oscar Grant model will not get us closer to it. Rather, we need to develop beyond that important example.

## **Applying the lessons**

Police violence is officially validated when courts offer no punishment for cops who harass, cage and kill people. In these cases, the values of the community and grassroots values of justice all but disappear. These experiences show us that the systems of courts and policing are built to sustain and reproduce themselves and their agendas. From individual cops to federal enforcers, those doing their jobs correctly erase any sense of accountability of the state to the people. This experience in turn creates opportunity. If we are opportunists, these are times to seize.

Most of us who've mobilized against killings by police have not done so because our family members have been killed in the same circumstances (although many of us have family who've been criminalized and caged by the same forces). Rather, we mobilize because we see police killings both as an ongoing issue impacting our day-to-day lives and because they are an accessible entry point for people to build analysis against policing. These circumstances present both a contradiction and an opportunity.

In cases of police murders, we often accept the idea that there is nothing more we can do than follow directions of the traumatized family and pursue justice in the ways they ask of us. While solidarity with these families is important, let's also look to additional, sustainable and long-term ways that we can take the fight for justice to the next level.

The principle of solidarity pushes us to support the material and emotional needs of people who have family members killed in any situation. This support role can move us forward in multiple ways. First, the healing process is a major strain on material and emotional resources. Supporting those needs can help to strengthen family members and therefore build their political focus, enabling them to engage in broader organizing efforts. Second, building a real-world understanding of the personal struggles of those directly affected by violence allows organizers to humanize and realize the affects of unexpected death. Finally, that support also allows for more strategic points of entry for organizers, and gives those who maintain these relationships an intimate way of reflecting on – and therefore offering innovations to – the organizing process.

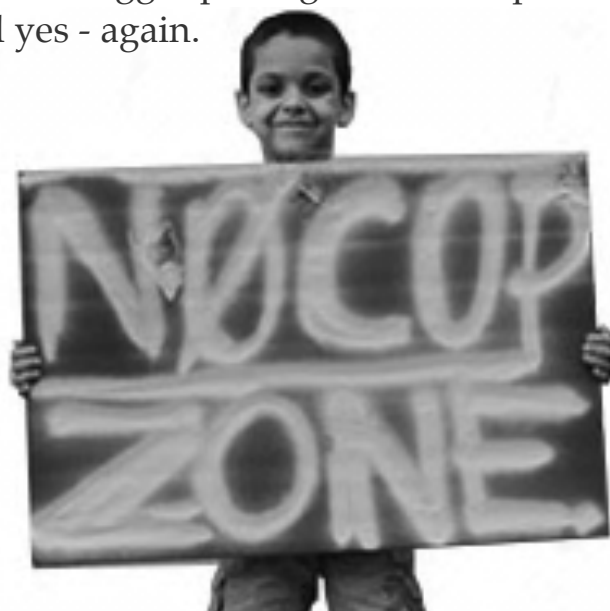


When our radical community steps up to support families in these situations, we do so because we recognize the contradictions and opportunities; we do so to rip these contradictions out of the holes carved by government bullets and use them to strategically put police under fire. But as organizers who step up for families and watch life after life stolen and a broad focus by the grassroots on individual responsibility (i.e. prosecuting “bad” cops), our role is different than that of a family member or their legal representation. We must stop falling into traps of the past.

Traditional definitions would label a “bad” cop as one who either breaks rules at their job or follows the law in ways that appear egregious to civilians. A “good” cop is one who strictly follows the law or who acts in ways that civilians around them perceive as positive. Both those categories exist. Neither have a place in a radical conversation about justice.

Focusing on individual responsibility – such as the drilled-in demand to jail or prosecute a “bad (killer) cop” – can be deeply important for a family who lost someone, and they alongside those whose job it is to navigate legal confines should be supported to focus on that goal. However, a broader movement built against police killings, police brutality and policing in general, needs to have a deeper understanding of how policing has been and is being experienced: as the armed guard of a legal system that is rooted in the domination of people and land through *de jure* (legal) and *de facto* (in reality) slavery and capitalism.

In the model mentioned above, the justice that is sought is not justice at all. Taking a cop’s badge is useful in that it takes them off the street, but there are many more eager to replace them and many departments willing to oblige. Putting one cop in jail does nothing to solve the larger and endemic issues that plague poor Black and Brown communities. Rather, let’s refocus our energy toward preventing the same patterns that allowed the trigger pulling in the first place from happening again and again, and again, and yes - again.





# Education, Policing and our Collective Expectations

As adults in this great miasma called america, we make many assumptions. We are taught to assume that we are free because there is a legal document promising that we can say what we want to say, to vote, to have guns and to be protected. We recognize that beyond the document – the Constitution – there are many rules and limitations to understand before we can take advantage of these freedoms. One assumption we make is that we can never break the law. If we break the law and we're caught, then our ticket to freedom is revoked; we deserve what we get and this is called justice.

*Against Hired Guns* released and analyzed the legal deposition given by Jonathan Bellusa, killer cop. Though this represented a unique opportunity to distribute unfiltered information, the really important stories are not the ones told by police in the interest of crafting an image of themselves as the “good cop” / “whistle-blower.” These individuals think they can grant themselves immunity from the judgments they are passing on the system that they helped to foster and maintain; the snitch-whistle is essentially a red herring.

*\*Incidentally, we feel that people have been blowing this particular whistle for decades. Bellusa's testimony doesn't tell us anything we didn't already know.*

## The Tentacles' Reach

In 2007, Alameda County and the Oakland Unified School District (OUSD) adopted a non-punitive approach to discipline, which is neatly referred to as Restorative Justice. This approach promises the end to racially disproportionate suspensions and expulsions, a dedication to keeping kids in school by adapting to their needs and by proxy, interrupting what's known as the “school to prison pipeline,” a scheme that sends Black and Brown kids to prison at astounding rates.



By adopting this idealistic and pragmatic policy, the OUSD acknowledges failures of the public school system. It says that racism is alive and well and needs to be confronted by two of the biggest government-based institutions in america. By putting this policy into practice, OUSD reiterates statistics that we have heard many times before in myriad ways: 34% of the OUSD student population is African-American, yet they receive...

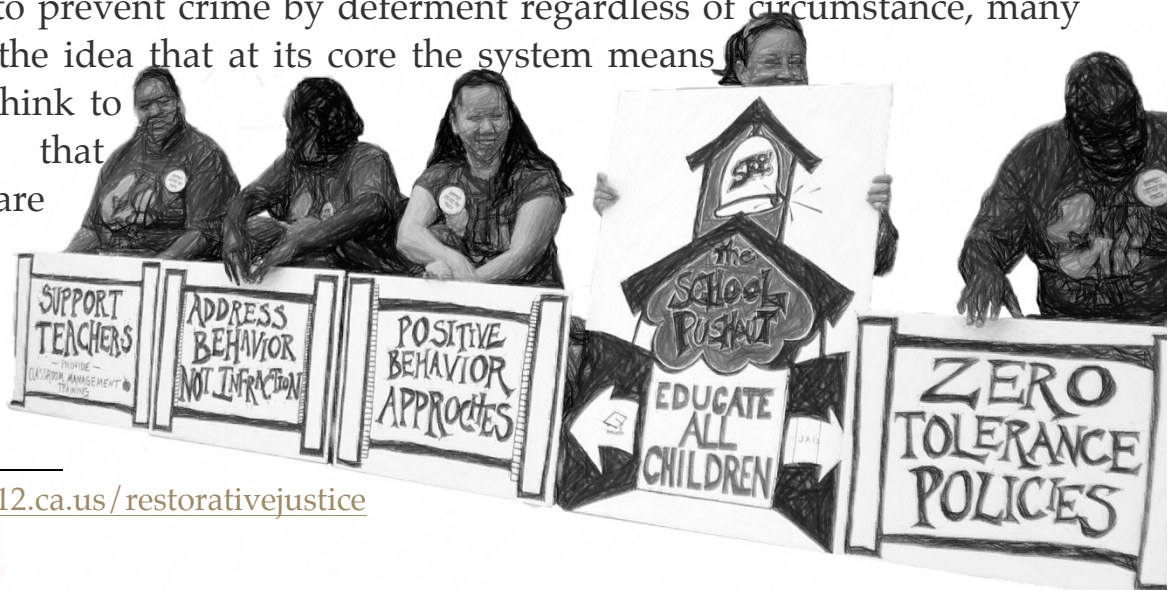
- 67% of the referrals for out of school suspension 50% of the referrals for expulsion
- 40% of OUSD African American students do not graduate from high school
- Since 2005, 66% of OUSD students who dropped out have had contact with the criminal justice system<sup>13</sup>

The practice of restorative justice has at its core a vision to use evidence-based restorative practices within schools and the juvenile justice program in order to address the root causes of misbehavior/wrongdoing/rule and law breaking, etc. It is done so in a way that insures that all parties affected have a voice and collaborate together to decide what course of action to take in order to make things right, and to allow for each person to take responsibility and be accountable to their actions. *Of equal importance is the idea that restorative justice is not about punishment or vengeance, which interestingly places it directly opposite the law.*

Policing in our society has everything to do with punishment. Regardless of laws that claim we are all innocent until proven guilty, the results of wrongdoing and office referral, investigation and trial, always start and end in punishment. Our society takes this punishment as justice, and even though it is the nature of this system to attempt to prevent crime by deferment regardless of circumstance, many of us still cling to the idea that at its core the system means

well. Many of us think to ourselves that

aberrations of this are merely “bad apples” and we must expunge or punish them, but



<sup>13</sup> <http://www.ousd.k12.ca.us/restorativejustice>

the reality is that this is not a unilateral system of justice at all. The police enforce a steady system of punishment on our streets, and punishment is specifically and intentionally directed at Black or Brown people.

In a restorative justice model, everyone wants to do good and positive things: to thrive in a collaborative environment with a certain amount of facilitation to repair relationships and harms done to a community. Ironically, the OUSD has adopted a practice that attempts to integrate this social practice, but it is thwarted by the fact that there are two competing publicly-financed systems within the district: one (the practice of restorative justice) attempts to provide the communication system between students and the logic of our society, and the other serves as the heavy hand of the law, producing the OUSD officers who criminalize, harass, arrest, cage and kill people like Raheim Brown, Jr.

Our communities are also prevented in a search for restorative justice – less because of those competing forces and more due to the individuality of this process in its context of a society in which the legal system is responsible for the oppression itself. How can we expect to destroy legacies of slavery and systematic violence while the imperialist practices that created an entire class of “illegal” people whose labor is necessary under capitalism, are valued and enforced by the daily harassment of individuals by paid legal enforcers? This is the same ideology which drives us to celebrate Johannes Mehserle being taken into custody by the same cops who arrested and brutalized protestors seeking justice for Oscar Grant the day before. It’s the same ideology that drives support for serving time in the penal institution which we know is a continual resting point in the school-to-prison pipeline created for many youth of color in Alameda County and beyond.

This is not meant to be an answer; rather we at *Against Hired Guns* would like to broaden the questions being asked. One of the reasons we chose to quickly examine restorative justice in this piece is because of its emphasis on restoring harm and building relationships. By focusing on relationship building, responsibility and accountability, restorative justice takes away from the idea that only individuals can affect change in our communities. *When we view epidemic physical and psychological violence as community problems, we see that policing and restorative justice are completely at odds with one another.*

How then can the OUSD think that it can implement restorative practices in its schools while still employing its own police force? How can Alameda County think it is implementing restorative justice when the crimes that land people in the legal





justice system are overwhelmingly crimes of poverty and mental health? Rather, it can't. The two can never co-exist. Until our communities shift our collective notions of justice and freedom away from the police, away from the courts, and back into our own hands, then people like Bellusa become heroes and people like Raheim Brown, Jr. end up dead.

## **Individualism and the amerikan Curse**

It is interesting that with the story of ex-LAPD officer Chris Dorner still fresh in the public's mind, here in Oakland, another police officer publicly crossed the "thin blue line" (that wall of silence supposed to protect police from outside scrutiny). Police Commander Jonathan Bellusa exposed some history of corruption and racism within the OUSD and OPD. Both Dorner and Bellusa have a desire to control the stories around their cases. Whether it be in the format of a manifesto<sup>14</sup> or a carefully arranged press release<sup>15</sup>, the object is to demonstrate that they both completely believed that they were right, and that their infallible truth will appeal to a morality within their departments and broader society, which will protect their freedom, their names and their livelihoods. They believe that the system and the government is theirs.

It is interesting, but not surprising, that both Bellusa and Dorner initially appealed to the same power structure which created the people and circumstances they railed against to begin with. Both Bellusa and Dorner want the system to work, and though they've seen countless examples of its irreparable nature, they still cling to the idea that if they do enough right, they will be spared the mercilessness of its fissures. Even for these "good cops," the institutions they appeal to become their oppressors and silencers. In the case of Dorner, the police became his eventual executioners, which is tragically representative of the way the so-called justice system works for the people trapped within it.

Bellusa operates in a world that seems divided into either the right or wrong side of his fantastical moral majority. We say "fantastical" because we know, as people disenfranchised from any form of restorative justice that we can actively take part in, that this morality does not have the interests of the majority in mind.

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<sup>14</sup> <http://documents.latimes.com/christopher-dorner-manifesto/>

<sup>15</sup> <http://www.nbcbayarea.com/news/local/Exclusive-Oakland-School-Cop-Calls-Shooting-Investigation-Compromised-194114051.html>

Each situation appears to the public eye to have flashpoints for the individual officers, both of which are self-centered and administratively based. While Dorner's manifesto cites witnessing overt racism at the LAPD (people responsible for the beating of Rodney King and the Ramparts scandals being given promotions, his fellow officer kicking a developmentally disabled man in the head and chest) it is his subsequent firing from the force after he attempts to seek the legal system's justice over the latter incident, which is the final straw in his experience of oppression.

We are not drawing direct parallels between these two men. The culmination of events leading to Dorner's rampage is what scholars call racial battle fatigue. RBF, as it is more commonly known, is the result of long-term racially motivated micro-aggressions which accumulate and are demonstrated in a variety of ways. What we are focusing on, however, is the extent to which both men believe that the law should work: especially for themselves.

Bellusa is not repulsed by the murder of Raheim Brown, Jr., which he himself ordered, but rather by the depth of the administrative cover-up to prevent an independent investigation. It is important to note here that this is not the first time Bellusa, has been legally accused of excessive force. He has been sued via the police department by several people, including Miles Deshawn Goolsby<sup>16</sup> and Virgil Waldon, the latter whom Bellusa shot in the torso and leg after pulling him over on suspicion of driving without a license.<sup>17</sup> Ah, justice.

Clearly, Bellusa's role in the system is to keep it moving forward. To the public eye, each administrative incident seems perhaps corrupt and unfair, but not potentially more than we would expect from a power structure which serves to uphold the interests of corporations, the 1% and white supremacy via imperialism and capitalism.

## **Doling Out Justice**

Two police officers come forward with information regarding incidents within the force that they feel have been improperly investigated by fellow officers and officials. In both instances "excessive force" is applied. Dorner witnessed a mentally ill man being kicked in the chest and head; Bellusa was complicit in the shooting to

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<sup>16</sup> <http://www.sfgate.com/bayarea/article/Oakland-Might-Settle-Police-Misconduct-Suit-2939374.php>

<sup>17</sup> <http://www.sfgate.com/bayarea/article/Oakland-Schools-Cop-Shoots-Motorist-29-Suspect-2785155.php>

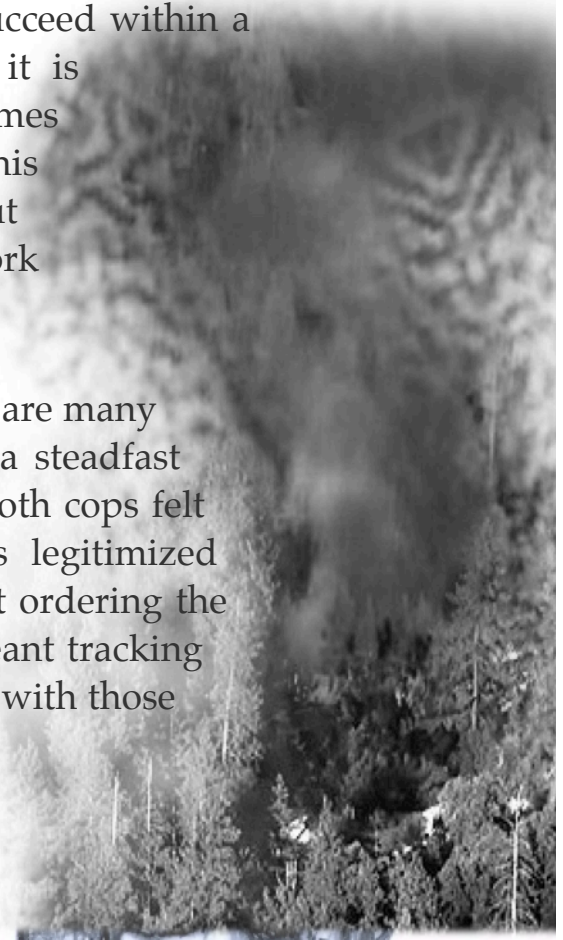


death of a young Black man who may or may not have been trying to defend himself with a screwdriver (witness and police accounts differ, as is explored in more depth on the *Against Hired Guns* website). Where these cases diverge is in their outcomes; Dorner is fired for “lying” (and subsequently hunted and murdered), while Bellusa, although threatened and denied audience by judges, coworkers and lawyers, has to date been rewarded with paid administrative leave (which he has described as retribution) for his whistle blowing of ex-chief Pete Sarna’s racist comments. We can be sure with his information about OUSD PD’s cover-up of Raheim Brown, Jr.’s murder, he will be awarded the status of cop-hero. While cop-Bellusa believes he has everything to gain, his Black cop-counterpart clearly had everything to lose.

Looking at the racist histories of the United States’ government and its legalized enforcers, we are presented with this question: *why do we continue to seek justice from our oppressors?* We must recognize that we are complicit in crafting the strength and legitimacy of police forces across the country each time we equate our ideas of justice with theirs. This is not to ignore the epidemics of domestic abuse, random violence, gang violence and other types of violence which are very real in our neighborhoods. We are not addressing that here.

Many have referred to Dorner as “the monster” created by Dr. Frankenstein, one who turns on his makers (the LAPD), and attempts to kill them and everything they hold dear. This is accurate, understanding that a lifetime of racism crafted a creature who, upon spending its entire life trying to succeed within a system, is ultimately confronted by the reality that it is expendable in the eyes of authority. As such, it becomes motivated by vengeance against the perpetrators of this unfairness. It is a pointed juxtaposition, but it leaves out the context of a Black man who knowingly went to work for the force that beat Rodney King.

When we look at Dorner and Bellusa side by side, there are many differences and still many similarities that stem from a steadfast belief in the ability and fantastical magic of the state. Both cops felt that a threat to the safety of themselves as officers legitimized murdering other human beings. For Bellusa, this meant ordering the execution of Raheim Brown, Jr. For Chris Dorner, it meant tracking down the family and loved ones of everyone associated with those who failed to uphold his idea (and society’s) of justice.





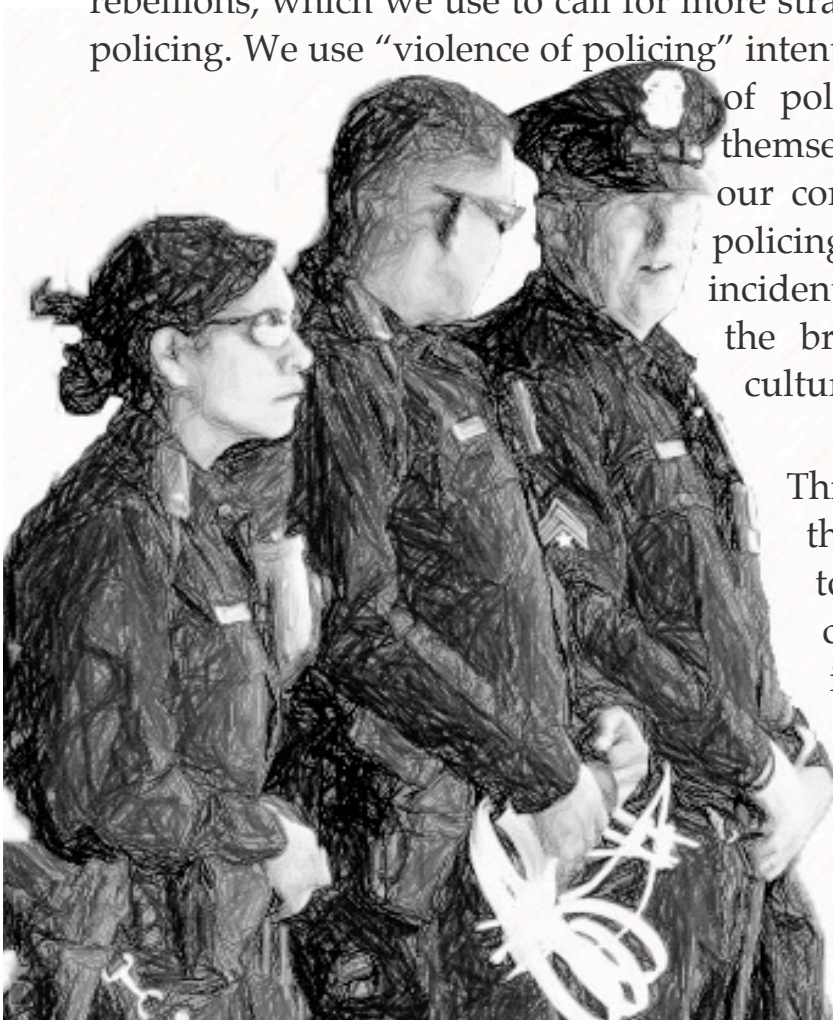
Similarly, our collective allegiance to the penal and criminal justice system necessitates the police as enforcers of a racist, sexist, classist and violent society. A reliance on the state and its police force creates a culture of narcissism within itself and is dangerous to society. By demanding justice from the system that oppresses us, we give validity and power to our oppressor.

## Reflecting Forward

*Against Hired Guns* is a group of people who've gotten to know each other since the Oakland rebellions of 2009. Those rebellions happened in response to the public execution of Oscar Grant III. After video of Oscar's killing was released, broad groups of people converged on the city, angry and ready to fight for justice. But we had no cohesive ideas about what that meant and we pitted our individual ideas of that meaning against each other.

This piece is a self-critical reflection of the organizing processes that followed those rebellions, which we use to call for more strategic organizing against the violence of policing. We use "violence of policing" intentionally because we understand the role of police to both be a source of violence themselves and to extend/increase violence in our communities. When we say "violence of policing", we're not referring to a specific incident of violence, rather we're referring to the broader role that police play and the culture they enforce.

This piece is also an attempt to reframe the use of "flashpoint" organizing as a tool for justice. "Flashpoint" in this context refers to an incident or series of incidents that draw broad attention to the violence of policing. Some examples we draw from, most of which are described in *Learning to Struggle Stronger*, the first section of



this piece, are the police killings of Gary Wayne King, Jr., Oscar Grant III, Derrick Jones, Raheim Brown, Jr. and Alan Blueford to name just a few. In a broader context of the term, we're referring to mobilizations that respond to specific repressive policing schemes like gang injunctions or mass mobilizations to City Hall in response to city governments extending police powers.

*Against Hired Guns* came together as an experiment in response to a specific incident of policing. We imagined it could be contextualized in an analysis of the violence of policing in order to create a stronger entry-point into these politics for organizers focused on flashpoints.

## **Strengthening Our Strategies**

In each police murder mentioned above, family members of those killed have been thrust into organizing process. They've found themselves surrounded by people who stepped up in response to their loved one being killed, and they've put in important energy towards finding a sense of personal justice.

There were also people like those of us in *Against Hired Guns* who have been bringing our energy to those organizing processes because we feel they play a strategic role in furthering our political interest of ending the violence of policing. While we supported and continue to support family members of people whose lives have been taken, we do so for personal *and* political reasons.

In each of the cases listed above, organizing coalitions formed to support "justice" for those who were killed. In each of them, they've focused on firing and prosecuting cops who committed a specific act of violence. We want to explore how to support family members and those thrust into organizing processes while being intentional and explicit about our own roles and why we keep entering these spaces.

Part of the reasons we have joined these coalitions is because we've seen them as strategic opportunities to achieve a broader goal of getting rid of the violence of policing. We want to get justice for people killed by police, and a big part of that means creating conditions that stop police from killing people. In practice, these coalitions keep referring back to "justice", but they do not have a cohesive understanding of what that really means.

The roles of police, in the name of "public safety", are to arrest people, remove them from communities, put them in cages, etc. Each of these actions extend harm beyond

the initial incident for which the police got involved. In other words, the roles of police are both violent and they increase violence among people who are not cops. This means that creating conditions that don't let police kill people also means creating conditions that don't let police contain, harass, arrest or cage people. It means an end to policing all together.

Removing cops is no all-of-a-sudden cause for safety, but thinking in these terms allows us to experiment with practices of keeping ourselves safe without relying on systems that we know extend and increase violence. Imagine what could be done to support self-determination with all the money and resources that are poured into systems of policing and imprisonment!<sup>18</sup>

In this writing, we focus on police killings because those events have and continue to become really clear broad-based rallying points against police. Police killings are strategic opportunities to amplify the broader violence of policing, rather than to focus on specific incidents.

We can't end police violence by targeting individual cops. Understanding policing as violence, we have to target an entire system.

Sometimes our radical communities are really good at putting that analysis into words: "Fuck The Police!" "Down with the system!" Far less often, we integrate those understandings into how we're actually organizing.

## **Experimenting with Our Own Challenge**

*Against Hired Guns* started as an attempt at placing the content of a flashpoint into a broader context. We identified this flashpoint as a strategic opportunity to extend our analysis of policing. Because of that, we describe ourselves as "opportunists". By this we mean that we are involved for political reasons, and so we try to find strategic opportunities that will amplify those goals.

In December, 2012, we found out that a cop wanted to expose the everyday functioning of his department. It's a case study with nothing new except a cop who wants to put his experience on record.

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<sup>18</sup> The *Resources* section of this document offers some specific examples of dealing with harmful situations without relying on police, through interpersonal, organization and systematic experiments.





This cop, a commander in the Oakland Unified School District's (OUSD) own autonomous police department, implicates at least ten district and police officials in the legal deposition that we helped ensure to happen and were first to release. Those people include the OUSD Superintendent, the OUSD police chief, the former OUSD police chief, and more.

It would be a mistake to focus on each of these people without putting them into a broader context and understanding of the violence of policing. While these people have done horrific things, they've done so by fulfilling the function of their jobs. It would only make sense to target them if that were done in a way that takes away the OUSD's ability to commit further violence.

When people lose their jobs in these contexts, they're replaced by people who serve the same function. It is interesting to note that when the OUSD chief from a few years ago was fired for using the phrase "the only good nigger is a dead nigger and we should hang them in the town square", he was replaced by Barhin Bhatt, the cop who killed Raheim Brown, Jr. Bhatt's appointment was a public and obvious rallying point among organizers because it was easy to point out the contradiction of getting rid of an openly racist cop and replacing him with a one who had recently killed people.

But when Bhatt lost his position as chief, which happened as a result of community pressure, he was replaced by another cop. James Williams, the replacement, may not have shot or killed anyone but we know that his job is to facilitate the containment, surveillance, arrest and caging of kids in Oakland. He gets paid to facilitate those processes.

We have to be outraged when a cop who kills people is given a promotion, but we also have to be outraged, and have a sense of urgency, about the containment, surveillance, arrest and caging of anyone. Let's not forget that those policing activities are targeted in hugely disproportionate ways against Black and Brown people.

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Jonathan Bellusa, the cop who has spoken out against his department, is not a hero. He wants to support a system of policing that is not "corrupt" in the ways that he

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<sup>19</sup> [http://www.insidebayarea.com/breaking-news/ci\\_22490590/monitor-says-opd-regressing-reforms](http://www.insidebayarea.com/breaking-news/ci_22490590/monitor-says-opd-regressing-reforms)

has observed, but rather to support a system of policing that, in *legally justified* ways, creates and extends violence.

## Moving Forward

As organizers, we can use flashpoint incidents to amplify a political analysis against the violence of policing. Targeting these individuals can and should be part of our organizing process, because *if put into the context of policing as violence*, using these individual cases can take power away from police and the violence of policing. Without that context, we've fallen into the trap of focusing on individual "good" or "bad" cops, and in doing so we repeat patterns of asking, and therefore empowering, the very system that enables them to kill. As explored in each section of this writing, neither of those categories have a place in a radical conversation about justice.

*Against Hired Guns* hopes to contribute to organizing processes by supporting "flashpoint" anti-policing organizing that explicitly recognizes our reasons for participating, and to contextualize those incidents in a broader understanding of policing, through concrete recent examples. This experiment in using a strategic opportunity is not a start or spark to a conversation about what "justice" really looks like. Its' intention is to add fuel to that conversation, that's been an ongoing experimental process locally and around the world.

To close, we'd like to offer some questions that could be used to extend this contribution:

- How can we use accurate histories of how violence of policing is justified in order to better inform newer anti-policing campaigns?
- How do we connect flashpoint-based organizing strategies with broader anti-policing struggles?
- What does it look like for organizing strategies to *not* be based in or reliant on the legal system?

As people struggling with and against the violence of policing, we think these questions can be used to strengthen responses to flashpoint organizing. They should help to frame "justice" in the context of flashpoint-based anti-policing work as a constant challenge. Let's think beyond the moment because we're in it for the long haul, and we're in it to win.



# Resources

This page highlights some projects and experiments in responding to harmful situations without relying on police or State-based mechanisms. The squares with designs can be scanned as a barcode by a smartphone to directly link to the corresponding website.



**You Can't Build Peace With a Piece**, a statement by youth of color on school safety and gun violence, explores ways to think about creating safety in schools without police. "Nearly all of us have been to more funerals than graduations. No one wants the violence to stop more than we do. But, we have also seen how attempts to build public safety with security systems, armed police and prisons have failed."  
<http://www.dignityinschools.org/youth-color-statement-school-safety-and-gun-violence>



The **Story Telling & Organizing Project (STOP)** collects and shares stories about everyday people taking action to end interpersonal violence. It is sometimes difficult to imagine what community-based responses to violence could look like. STOP has found many stories about things people did to stop violence. You can listen to and read stories as well as submit your own on their website. <http://www.stopviolenceeveryday.org/>



**Operation Ghetto Storm** is a report organized and coordinated by the Malcolm X Grassroots Movement (MXGM), exposing that every 28 hours in 2012, a Black person was killed by police or racist vigilantes. The report was published along with organizing resources and is a strong part of MXGM's ongoing organizing work. <http://www.operationghettostorm.org/>



**Creative Interventions** was an Oakland-based organization created to experiment with re/envisioning solutions to domestic or intimate partner, sexual, family and other forms of interpersonal violence. It was established as a resource center to create and promote community-based responses to interpersonal violence. Creative Interventions has published a toolkit from their experiences, which is available on their website for free. <http://www.creative-interventions.org/>



**A People's Hearing on Racism and Police Violence**, which took place on February 19<sup>th</sup> and 20<sup>th</sup> of 2011, was organized to build concrete local histories in Oakland connecting survivors and witnesses of police violence and state repression so that they do not have to be isolated from one another. The event's website describes it as a move toward the offensive, linking many sides of the repressive state in order to strengthen our movements against it. See website for full video and transcripts of the event. <http://peopleshearing.wordpress.com/>

**23 De Enero**, once one of the most violent neighborhoods in Caracas, Venezuela, expelled police years ago. Since, the rate of violence has shrunk drastically. These are some links to articles (in English) about that experience.  
<http://www.greenleft.org.au/node/36083>;  
<http://venezuelanalysis.com/news/3159>; <http://venezuelanalysis.com/analysis/8192>;  
<http://www.counterpunch.org/2008/09/09/venezuela-from-below/>;  
<http://www.theneweconomy.com/strategy/venezuela-takes-socialism-from-chavez>

### **Local organizations that support self-determination and not the cops**

Arab Resource and Organizing Center – <http://www.araborganizing.org/>

Berkeley Copwatch – <http://www.berkeleycopwatch.org/>

Black Organizing Project – <http://blackorganizingproject.wordpress.com/>

Critical Resistance – <http://criticalresistance.org/>

Eastside Arts Alliance – <http://www.eastsideartsalliance.com/>

Idriss Stelley Foundation – <http://www.cohsf.org/?p=761#sthash.Z2nHffjl.dpbs>

Justice 4 Alan Blueford – <http://justice4alanblueford.org/>

ONYX – <http://onyxbrief.blogspot.com/>

Malcolm X Grassroots Movement – <http://mxgm.org/>

National Lawyers Guild – <http://www.nlgsf.org/>

Stop The Injunctions Coalition – <http://stoptheinjunction.wordpress.com/>

**Please contact us at [againsthiredguns@hotmail.com](mailto:againsthiredguns@hotmail.com) if you have more ideas for this list!**



This flyer and at least 3 others like it were distributed in the immediate aftermath and immediate location of police killings in Oakland since the original *Against Hired Guns* document was released.

## Police at war. Against Hired Guns.

On Wednesday afternoon, the Oakland police shot and killed a man at the corner of Bancroft and Ritchie. According to police statements, they found out that “occupants of a particular vehicle *may* be armed.” The cops chased the car until people hopped out and ran in different directions. A cop shot and killed one of them, who the police now say had a gun.

The police haven't even *claimed* that any of those men threatened them, which they always do in order to justify murder. That's what they said when they killed Gary King, Andrew Mopping, Oscar Grant, Raheim Brown, Alan Blueford... The list goes on,<sup>i</sup> and it's an old story that they always repeat to justify murder.

The only person who was hurt in the entire situation was the person the police murdered. *Had the cops not chased them, there's no reason to believe anyone would have been hurt.*

When Derrick “Deedee” Jones was murdered by cops near Bancroft and Seminary in 2010, they said that he took out a gun. They told us later that he NEVER had a weapon, and one of the cops who killed him said: “*We were just doing our job, as we were trained to do.*”<sup>ii</sup>

Just as that cop said, **it is part of the job of police to kill people.** It is a mistake to think that they kill people to *make us safer*, which is what they tell us. The reason they kill us is the same reason they lock us up. It's the same reason they target us with stay-away orders, gang injunctions, Operation Ceasefire, or whatever their latest scheme is.

In the 1970s, 44% of Oakland's population was Black. The Black population has steadily decreased. Between 2000 and 2010, 25% of Oakland's Black population left the city.<sup>iii</sup>

Every time they kill someone and almost every time they lock someone up, the person is Black or Brown.<sup>iv</sup> Every time they make a new policy, it is enforced in working class Black and Brown neighborhoods but never in wealthy or white areas.

The police are here to kill, contain, harass and cage. That is *not* how we make public safety. That is how we make war. There is a war against the people of Oakland and it is being facilitated by the cops.

**Fuck the Police. Know Your Rights. Never Snitch.**

### **Local Anti-Policing Resources:**

Against Hired Guns – <http://againsthiredguns.wordpress.com/>

A People's Hearing on Racism & Police Violence – <http://peopleshearing.wordpress.com/>

Story Telling & Organizing Project (STOP) <http://www.stopviolenceeveryday.org/>

### **Local Anti-Policing Organizations:**

Critical Resistance – <http://criticalresistance.org/>

Eastside Arts Alliance – <http://www.eastsideartsalliance.com/>

Justice 4 Alan Blueford – <http://justice4alanblueford.org/>

ONYX – <http://onyxbrief.blogspot.com>

<sup>i</sup> List of police shootings from 2000-2012: <http://bit.ly/Zh0HW7>

<sup>ii</sup> <http://bit.ly/14BplnF>

<sup>iii</sup> <http://bit.ly/ZgYlkl>

